

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	
)	
AUDRA DOUTHIT JENKINS,)	CHAPTER 11
)	CASE NO. 18-59995-wlh
<u>Debtor.</u>)	

MOTION TO ESTABLISH BAR DATE FOR FILING PROOFS OF CLAIM

COMES NOW, Audra Douthit Jenkins (“Debtor”), debtor and debtor in possession in the above-captioned case, by and through the undersigned counsel, and hereby files this “Motion to Establish Bar Date for Filing Proofs of Claim” (the “Motion”). In support of the Motion, Debtor shows the Court as follows:

Jurisdiction and Background

1. This Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
2. On June 14, 2018, Debtor filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code (“Bankruptcy Code”).
3. On February 20 2019, the Case was converted to Chapter 11 of the Bankruptcy Code.
4. In accordance with Sections 1107(a) of the Bankruptcy Code, Debtor continues to manage her financial affairs as a debtor-in-possession.

Relief Requested

5. Debtor requests that the Court enter an order establishing May 6, 2019 (the “Bar Date”), as the deadline for all creditors and parties-in-interest asserting a claim against Debtor arising before the Petition Date to file a proof of claim.

6. Section 105 of the Bankruptcy Code codifies the inherent equitable powers of the Bankruptcy Court. *See Croton River Club v. Half Moon Bay Homeowners’ Assoc., Inc., (In re Croton River Club)*, 52 F.3d 41, 45 (2nd Cir. 1995).

7. Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure provides, in pertinent part, that the “court shall fix . . . the time within which proofs of claim or interest may be filed.”

8. Establishing a proof of claim bar date would assist Debtor with developing and implementing a plan of reorganization and would aid in administering the estate. Creditors will have sufficient time from the date hereof to timely file their claims.

WHEREFORE, Debtor requests that this Court enter an order establishing May 6, 2019 as the deadline for filing proofs of claim or interests in this case and granting such other and further relief as is deemed just and proper.

Respectfully submitted this 6th day of March, 2019.

JONES & WALDEN, LLC

/s/ Matthew J. Tokajer

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CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served a copy of the foregoing motion on all parties referenced below by depositing a copy of the same in the United States Mail, postage prepaid:

Office of the United States Trustee
362 Richard B. Russell Federal Building
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303

This 6th day of March, 2019.

JONES & WALDEN, LLC

/s/ Matthew J. Tokajer

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